

Detailed Action

Response to Amendment

1. Applicant's Remarks/Arguments filed on 4/20/2009 regarding claims 14-19, 21 have been fully considered. Claims 14-19, 21 are currently pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Ms. Suzanne Erez, on 6/8/2009.

The application has been amended for claims 1-12 on the next page as follows:

Art Unit: 2416

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The present application relates to providing a method for a transmitting network device to minimally delay transmission of short messages, including the unique steps of:

“selecting fully aggregated packets from said pending queue or partially aggregated packets from said buffer depending on whether or not said pending queue is empty.”

The closest prior arts, Rajkumar et al. (USP 7,391,769) and Li (USP 7,409,460), disclose a combined method for adjusting the number of packets per aggregate packets based on system loading and for some packets having enough tokens to be aggregated for transmission in a virtual outgoing packet flow. However, Rajkumar and Li fail to anticipate or render obvious the above quoted limitations of the present application. This renders the claims allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chi H Pham/
Supervisory Patent Examiner, Art Unit
2416
6/12/09

/K. M./
Examiner, Art Unit 2416

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